

# CHRISTOPHER CHARLES RENNIE

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Tuesday, September 20, 2016

The Honorable James Runestad  
State Representative  
Anderson House Office Building  
124 North Capitol Avenue  
P.O. Box 30014  
Lansing, MI 48909-7514

## Dear Representative Runestad:

I am writing to you as a member of the House Committee on Families, Children and Seniors with grave concern & strong opposition for the pending House Resolution 327 concerning Parental Alienation and House Bill 4141 concerning Presumptive Joint Custody, and I am writing to ask you, *to beg you as a matter of conscience*, to vote down this Resolution, which if adopted, would be harmful to children & the processes in place to protect them and dangerous to those who have been victimized by & escape situations of domestic violence, abuse. In both cases, these two actions do not serve the interests of those they claim to stand for & in fact serve only to undercut the prominent place of our society's most vulnerable in our family courts.

On Wednesday, September 14, 2016, your committee heard a presentation on "Parental Alienation Syndrome," a cleverly worded label for a myth of a condition, promoted by certain interest groups as a way of perpetuating the lie that in divorce situations, vindictive mothers cause estrangement between the children of the marriage and their father. This condition has been roundly rejected by numerous leading professional organizations: The American Psychiatric Association, the National Council of Juvenile and Family Court Judges, the American Psychological Association, the Leadership Council on Child Abuse and Interpersonal Violence, the National District Attorneys' Association, the American Prosecutors' Research Association, among others, have stated unequivocally in their publications that PAS is neither a scientifically valid nor a professionally recognized psychological syndrome. It is a myth parading in what appears to be scientific language. Moreover, the theory that PAS proposes to our society is that our courts **cannot trust** the testimony of those who seek protection from violence & abuse through those courts. It pre-emptively categorizes such testimony as alienating and harmful when the real harm is the violence abuse being recounted in testimony. Domestic violence, child abuse, family abuse are all already among the most underreported and under-prosecuted crimes in our society; and they are among the most damaging. Even a voice of support for such lies as PAS damages our already tenuous standing as a society that defends those victims of violence and abuse in their homes and families. Do not stand for this; stand up for those who are asking to be heard, who are asking to be believed.

HR 327 is encouraging the recognition of PAS as valid and reputable: It is wrong on the facts. It is wrong on the science. It is wrong in its deceptive spirit. It is wrong in the parliamentary procedure that brings this vote during a time when many are out of town. It is wrong in the pall it casts over the evidence & testimony carefully considered in family law courts across this state to determine the custodial arrangements that serve the best interests of the children. This resolution is simply wrong, and it is beneath the dignity of the Legislature of the great state of Michigan to allow it to even come to a vote.

Your committee is also preparing to take testimony on House Bill 4141 which supports a presumption of joint custody arrangements for children in divorce cases. This bill is another situation where it appears reasonable when evaluated superficially, but presumptive joint custody legislation is a correspondingly disturbing and dangerous proposal. The family courts already handle the disposition of this grave matter with gravity. Research and the experience of domestic violence service providers indicate that if joint custody arrangements are to be beneficial for children, parties must be highly motivated and committed to co-parenting in different households. Cooperation, compromise, communication and safety are all necessary components to a successful joint custody arrangement. These components are not always present, and certainly do not exist where one party has a history of abuse against the other. **Joint custody currently receives special and preferential consideration under Michigan law**, which requires courts to inform each party of the availability of joint custody, consider awarding joint custody if either party requests it, and state the reasons on the record if joint custody is not awarded. Joint custody should be an option if both parents support it and if they are capable of cooperation; it should have no presumptive superiority, and it should be disallowed if the parents' relationship is chronically conflictual or if one parent has abused the other. Unfortunately, pursuing joint custody is not always done out of a desire to spend time with the child. ***In domestic violence situations, abusers frequently use joint custody to prevent the victim from leaving***, as many victims will stay rather than risk the child living alone with the abuser. In cases where the victim does leave, gaining joint custody allows the batterer continued legal access to control and abuse both the adult and child victims. Introducing any further statutory threshold with regards to presumption of joint custody will make these tactics more accessible and effective for the batterers – it will place children and abuse victims at even greater risk. There is no evidence in the research to support arguments that custodial arrangements are biased in favor of a specific parent. There is no evidence that Michigan's system of reviewing & awarding child custody is failing in a way requiring this legislative action. This is again here a cynical and callous move in conjunction with the resolution above to pursue an agenda of talking points, not an agenda of furthering the interests of the people of Michigan

Divorce is a tragedy. As a society & a legislature, I can understand the desire to uphold basic statements of civility and fairness, stating as a government that we do not support vindictive behaviors or manipulations of the system and stating that children should have the presence of both their parents to thrive. **Neither of these legislative actions accomplishes that.** Do not be fooled by the carefully crafted language and labels of these things; look at the lack of substance & the lack of justification for these legislative actions. Any rational evaluation would reject this resolution & this bill. Any supporter of families opposes these actions. Mothers oppose these actions. Fathers oppose these actions. Children are counting on you to oppose these actions, and those children are not the ones in customary divorce situations but the ones already abused, already harmed, the ones counting on the government & its courts to be able to protect them from harm. We all have friends and

family who have suffered through divorce; it is innately a painful process. However, I cannot recount one instance where a father asking for joint custody was denied it without reason. I cannot recount one instance where the family court did not treat the custodial arrangements of the children of a marriage as the most crucial, most grave, & most important matter to be adjudicated. In my own life, my two oldest children are from a different biological father; but they call me "Dad." Their biological father is a felon. He is a convicted sex offender. Both of those children have been damaged by his presence in their lives, and they would be damaged still more today if Michigan had been a place where he could dismiss his actions in favor of a myth that his absence would be alienating his kids. They would have been damaged more if the family courts had been prevented from awarding sole custody to their mother by a statute presumptively mandating that he was entitled to joint custody. Today, these kids are healing because a judge in family heard the testimony, considered the evidence, and rendered judgement based on the existing laws of the State of Michigan – in short, it was possible to protect these children, my children, because of where Michigan stands today. **I am asking you to oppose these actions which would have made protecting children like mine harder.** Support for House Bill 4141 makes protecting kids like mine harder, if not impossible; support for HR 327 says that the revocation of custodial rights in order to protect my kids from a felon and sex offender should really be understood as "alienating." Do not believe that. Do not support that. Do not give these actions the dignity of a vote. Preserve, instead, the dignity and power of the victims of abuse and violence when they ask our government through the courts for protection & safety & separation from the person who inflicts it. Respect the judges who consider these matters with great care and full gravity. Respect the laws already in place protecting fair & equal parenting for all typical situations. Respect the best interests of the children of the State of Michigan; and please insure, before any other social policy argument, interest group, or opinion is able to pontificate, that the welfare of those children comes before anything else. Voting against HR327 and HB4141 and preventing them from becoming part of Michigan's law and society is your next opportunity to do just that.

Thank you for your time and consideration.

Sincerely,



Christopher Charles Rennie